

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CAR-FRESHNER CORP., et al.,

Plaintiff(s),

vs.

Victory—2000 EOOD, et al.,

Defendant(s).

Case No. 2:14-cv-01471-RFB-NJK

ORDER

(Docket No. 21)

Pending before the Court is Plaintiffs’ motion to stay the deadline for submitting a discovery plan and scheduling order, filed on January 8, 2015. Docket No. 21. Plaintiffs represent that the individual who filed the Answer on behalf of Defendant Victory—2000 EOOD (“Defendant”) is not admitted to practice law in the state of Nevada. *Id.*, at 3; *see* Docket No. 19. Thus, Plaintiffs argue that Defendant is not properly represented and that Plaintiffs cannot engage in the requisite Rule 26(f)¹ conference. Docket No. 21, at 2; *see also United States v. High Country Broad. Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993) (“A corporation may appear in federal court only through licensed counsel”).

Plaintiffs request that the Court stay Plaintiffs’ obligation to conduct a Rule 26(f) and submit a proposed Scheduling Order and Discovery Plan, until the Court “resolves Plaintiffs’ concurrently-filed Motion to Strike and determines Defendant’s obligation to appear in this action through a licensed Nevada attorney or through duly admitted pro hac vice counsel.” Docket No. 21, at 5. To

¹ Unless otherwise indicated, references to “Rules” refer to the Federal Rules of Civil Procedure.

1 date, Defendant has not filed a response to Plaintiffs' motion to stay. *See* Docket. Pursuant to LR
2 7-2(d), "[t]he failure of an opposing party to file points and authorities in response to any motion
3 shall constitute a consent to the granting of the motion." Accordingly, Plaintiffs' motion to stay the
4 deadline for submitting a discovery plan and scheduling order (Docket No. 21) is hereby
5 **GRANTED**. Plaintiffs are **ORDERED** to file a status report with a suggested deadline for filing
6 the discovery plan, no later than 7 days after their motion to strike (Docket No. 20) is resolved.

7 IT IS SO ORDERED.

8 DATED: January 30, 2015

9
10
11 
12 _____
NANCY J. KOPPE
United States Magistrate Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28